



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(MBHB Case No. 00-1290-A)

In re Application of: )

Paul Sammak et al. )

Serial No.: 10/037285 )

Filed: December 21, 2001 )

For: Automated Assay for Identification of Individual )  
Cells During Kinetic Assays )

Art Unit: To be assigned

Examiner: To be assigned

Commissioner for Patents  
BOX IDS  
Washington, D.C. 20231

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**INFORMATION DISCLOSURE STATEMENT**

**Commissioner for Patents  
Washington, D.C. 20231**

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the references cited below are enclosed. These references are also listed on the enclosed PTO Form 1449.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance between references, whether cited in this or prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

### **United States Patents**

1. Dunlay, et al., United States Patent No. 5,989,835, issued November 23, 1999.
2. Taylor, et al., United States Patent No. 6,103,479, issued August 15, 2000.

### **Foreign Documents**

3. Dunlay, et al., WO 98/38490, published September 3, 1998.
4. Ghosh, et al., WO 01/11340, published February 15, 2001.
5. Olson, et al., WO01/11341, published February 15, 2001.
6. Ghosh, et al., WO01/35072, published May 17, 2001.
7. SAmmak, et al., WO01/42786, published June 14, 2001.

### **Other Documents**

8. Han, et al., (2001), *Nature Biotechnology*, 19:631-635.
9. Kao, et al., (1989), *J. Biol. Chem.*, 264:8179-81843.
10. Minta, et al., (1989), *J. Biol. Chem.*, 264:8171.
11. Rosenthal, (2001), *Nature Biotechnology*, 19:621-622
12. Soll, (1995), *International Review of Cytology*, 163:43-104.
13. Soll, (1988), *Cell Motility and the Cytoskeleton*, 10:91-106.
14. Soll, et al., (2001) *Method in Molecular Biology*, 161:45-58.
15. Walmond, et al., (2001) *Method in Molecular Biology*, 161:59-83

In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Date: January 30, 2002

Respectfully Submitted,

By:

A handwritten signature in black ink, appearing to read 'David Harper', written over a horizontal line.

David Harper

Reg. No. 42,636

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Chicago, IL 60606

FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 00-1290-A	Serial No. 10/037285
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use several sheets if necessary)		Applicant: Paul Sammak et al	
		Filing Date: December 21, 2001	Group:



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## U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1.	5,989,835	Nov 23, 1999	Dunlay, et al.			
	2.	6,103,479	Aug 15, 2000	Taylor, et al.			

## FOREIGN PATENT DOCUMENTS

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							Yes	No
	3.	WO 98/38490	Sept 3, 1998					
	4.	WO 01/11340	Feb 15, 2001					
	5.	WO 01/11341	Feb 15, 2001					
	6.	WO 01/35072	May 17, 2001					
	7.	WO 01/42786	June 14, 2001					

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

	8.	Han, et al., (2001), <i>Nature Biotechnology</i> , 19:631-635.					
	9.	Kao, et al., (1989), <i>J. Biol. Chem.</i> , 264(14):8179-81843.					
	10.	Minta, et al., (1989), <i>J. Biol. Chem.</i> , 264(14):8171-8178.					
	11.	Rosenthal, (2001), <i>Nature Biotechnology</i> , 19:621-622					
EXAMINER					DATE CONSIDERED		

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

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12.	Soll, (1995), <i>International Review of Cytology</i> , 163:43-104.
13.	Soll, (1988), <i>Cell Motility and the Cytoskeleton</i> , 10:91-106.
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